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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF
21 GOVERNMENT EMPLOYEES, AFL-CIO, et
al.,

22 Plaintiffs,

23 v.

24 DONALD J. TRUMP, in his official capacity as
25 President of the United States, et al.,

26 Defendants.
27
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF MICHAEL
LUCAS BRADEN**

DECLARATION OF MICHAEL LUCAS BRADEN

I, Michael Lucas Braden, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am an IT Specialist at Bonneville Power Administration (“BPA”) in the Department of Energy. I have worked for BPA for approximately 11 years, since 2013. In my role, I am the Information System Owner on various systems. I maintain and manage Unified Communications systems for the BPA. We are supported by supply chain, purchasing, contracting, human resources, payroll, and other IT organizations.

3. I am the President of the American Federation of Government Employees Local 0928. I have been the President for 6 years. I served as Vice President and Steward prior to that.

4. Local 0928 represents a bargaining unit of more than 1200 civil servants who work for BPA. These employees include student trainees, fish and wildlife specialists, treaty specialists, environmental specialists, realty specialists, power and transmission specialists, and various other support specialists. These bargaining unit members assist with the management of the power grid in Idaho, Oregon, Washington, western Montana and small parts of eastern Montana, California, Nevada, Utah and Wyoming. On its face, it appears that the March 27, 2025, Executive Order titled “Exclusions from Federal Labor Management Relations Programs” (“Executive Order”) covers all of the workers in Local 0928.

5. Local 0928’s mission is to advocate for and promote the interests of bargaining unit members in their federal employment, including working for a safe and fair workplace for all members. As the exclusive bargaining representative of these workers, the Union provides many services to all bargaining unit members. Core functions of the Union include collective bargaining with the agency to obtain a fair and reasonable collective bargaining agreement (“CBA”); filing and negotiating grievances against the agency to enforce the terms and conditions of the CBA; pursuing arbitrations on behalf of workers to enforce the CBA; and providing other support, guidance, and resources to bargaining unit employees. The Union also

1 provides answers to workers' questions about changes to laws, assists with harassment claims,
2 and directs and assists bargaining unit employees towards a path of redress for issues they find
3 themselves in.

4 6. The Executive Order will have an immediate detrimental effect on the Union's
5 ability to provide these services to unit members and to accomplish its mission. The Executive
6 Order will also have an immediate adverse impact on workers in the bargaining unit.

7 7. If the Union is no longer the exclusive bargaining representative of the unit, the
8 Union cannot enforce the CBA against BPA. The CBA, which is effective from August 1997 to
9 the present, provides important rights and protections to workers. For instance, the CBA and
10 union officers/stewards often assist bargaining unit employees in understanding various rights
11 related to harassment, discrimination, veteran rights, leave, promotions, and reasonable
12 accommodations. The CBA also:

- 13 a. Sets terms and conditions for working hours, overtime, sick leave, holidays, and
14 paid time off for workers in the unit.
- 15 b. Imposes safety and health requirements to ensure the welfare of workers in their
16 place of employment.
- 17 c. Establishes protections for workers regarding reduction-in-force ("RIF") actions
18 and procedures. We've learned a number of veterans do not have "Veteran's
19 preference for RIF" on their SF-50 and I've had to show HR how to determine if a
20 veteran is eligible.
- 21 d. Imposes procedures for and limitations on disciplinary and adverse actions against
22 workers. Retaliation is high at BPA. An employee who worked less than 10
23 minutes on a Sunday was written up for not requesting the time in advance.
24 During the pre-grievance meeting the HR representative stated she would have
25 the supervisor look for additional instances of the employee working outside of
26 normal hours. The only basis used was the system which processes engineering
27

1 data, generates drawings, then updates databases which can take a while after
2 your hit submit, and go home.

- 3 e. Provides for an Employee Assistance Program for individuals who have problems
4 associated with alcohol, drug, marital, family, legal, financial, stress, attendance,
5 and other personal concerns.
- 6 f. Establishes grievance and arbitration procedures for employees and the Union to
7 resolve disputes with the agency over employment matters.
- 8 g. Provides for official time, which allows bargaining unit employees to perform
9 union representation activities during certain amounts of time the employee
10 otherwise would be in a duty status, without loss of pay or charge to annual leave,
11 and on agency property.

12 Without the Union to represent them and enforce the CBA, bargaining unit members will
13 not have the benefit of those rights and protections going forward. I understand that the agency
14 is also likely to rescind the CBA under the Executive Order.

15 8. As a result of the Executive Order, pending grievances and arbitrations to
16 vindicate workers' rights, including under the CBA, will be left unresolved. The Union has at
17 least one outstanding grievance with BPA.

18 9. The Union's activities are funded through members' voluntary dues, most of
19 which are paid through payroll deduction from their pay. If the Union can no longer receive dues
20 through payroll deduction under the Executive Order, that will make it significantly more
21 difficult for the Union to continue to function and to provide the services and protection to unit
22 members listed above.

23 10. Official time is very important to enable bargaining unit workers with union roles
24 to perform representative activities on behalf of their coworkers while on government time.
25 Representational activities performed during official time can include working with management
26 to efficiently resolve disputes over workplace problems, representing coworkers in grievances
27 and disciplinary actions, ensuring safe working conditions and procedures, enforcing protections

1 from unlawful discrimination and retaliation, and providing workers with a voice in determining
 2 working conditions. Removing Union representatives from official time will hamstring the
 3 Union's ability to perform its fundamental functions of representing members.

4 11. The Executive Order is chilling workers' speech and activity. I know firsthand
 5 that without the protection of the CBA and the Union, workers will be afraid to raise concerns
 6 over workplace conditions with the agency. Additionally, because this Executive Order targets
 7 federal unions and their employees, I am reluctant to criticize the administration or voice
 8 political views the administration may not approve of, for fear of further retaliation. I understand
 9 from my interactions with other federal employees that many of them feel the same way. I
 10 receive many emails, phone calls, and other messages from bargaining unit members who are
 11 worried about whether union workers will be further retaliated against. They are afraid because
 12 this is their livelihood,: these are necessarily dedicated, career people, because our work is
 13 specific and unique due to the treaties we have with tribes, trade agreements we have with
 14 countries, and the power grid and energy regulations/laws we have in our country.

15 I declare under penalty of perjury under the laws of the United States that the foregoing is
 16 true and correct. Executed April 1, 2025, in Vancouver, WA.

17 Michael L
 18 Braden

Digitally signed by Michael L
 Braden
 Date: 2025.04.01 06:27:31
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19 Michael Lucas Braden

20 President, AFGE Local 0928
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